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Filed : April 15, 2004

REMARKS

Claim 1 has been amended to recite the elements of Claim 4. Support the amendment can be found in original Claims 1 and 4. Claim 9 has been amended to recite an additional step. Support for this amendment can be found in original Claims 4 and 9. Claims 5 and 11 are amended to correct their recitation of dependency. Claim 4 has been canceled. As such, no new issue or no new matter has been added by the amendments. Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Rejection of Claims 1-4, 6, 7, 10 and 12 Under 35 U.S.C. § 102

Claims 1-4, 6, 7, 10 and 12 have been rejected under 35 U.S.C. § 102(c) as being unpatentable over US 6,965,418 (Hara).

Applicant respectfully traverses this rejection.

Claim 1 has been amended to recite the elements of now canceled Claim 4. Thus, as amended, Claim 4 is directed to an antistatic optical film comprising an optical film and an antistatic layer, where a pressure sensitive adhesive layer is laminated on the antistatic layer. Claim 1 also recites that the antistatic layer comprises a water soluble or a water dispersible conductive polymer. Applicant respectfully submits that Hara does not disclose a water soluble or a water dispersible conductive polymer, and Hara also does not disclose an antistatic optical film where a pressure sensitive adhesive layer is laminated on the antistatic layer.

The Office Action states that Hara at column 3, lines 45-57 discloses polyaniline that is water soluble or water dispersible "as defined by Applicant's specification (original claim 2)." Office Action at page 4. Claim 2 states that "the water soluble or water dispersible conductive polymer is a polyaniline and/or a polythiophene." Hara at column 3, lines 45-51 states:

The electroconductive polymer is not particularly limited, and there may be used all of conventionally known electroconductive polymers such as polyaniline, polyacetylene, and various doped materials obtained by subjecting these polymers to an ion-doping procedure. Examples of the electroconductive filler include indium oxide, tin oxide, zinc oxide, and ATO (antimony tin oxide).

Applicant respectfully submits that this statement by Hara does not anticipate Claim 1 or Claim 2 because it is not the case that any and all polyanilines are water soluble or water

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dispersible. Furthermore, Claim 2 recites “a polyaniline” not any and all polyanilines, and Claim 2 in no way indicates that any and all polyanilines are water soluble or water miscible. It is well known that introduction of different functional groups will modulate the water solubility of a polyaniline. Similarly the ability of the polyaniline to be dispersed in water is influenced by the functional group. Thus, not all polyanilines are water soluble or water dispersible. Hara is absolutely silent as to introduction of functional groups in polyanilines, and without treatment such as introduction of functional groups, polyanilines are not water soluble or water dispersible. Hara gives absolutely no indication that polyanilines are water soluble or water dispersible.

In order to anticipate a claim, a reference must expressly or inherently disclose all elements of the claim. Hara discloses an electroconductive polymer that “is not particularly limited, and there may be used all of conventionally known electroconductive polymers such as polyaniline.” Hara does not expressly disclose a water soluble or water dispersible polyaniline. There are no facts of record to indicate that water solubility or water miscibility is a necessary and inherent property of any polyaniline. Applicant’s Claim 2 does not support such an assertion of inherency. Moreover, such an assertion of inherency cannot be established because it is not the case that any and all polyanilines are water soluble or water miscible. Accordingly, Hara cannot anticipate Claim 1 or any claim dependent therefrom because Hara does not expressly or inherently disclose an antistatic layer comprising a water soluble or a water dispersive conductive polymer.

Furthermore, Hara does not disclose an antistatic optical film where a pressure sensitive adhesive layer is laminated on another side of a surface having the optical film of the antistatic layer. The Office Action indicates that Hara discloses that the polarizer may be provided with an adhesive layer. However, Hara does not teach that the adhesive layer is laminated on another side of a surface having the optical film of the antistatic layer. Accordingly, Hara further cannot anticipate Claim 1.

Rejection of Claims 1-3, 6, 8 and 10-13 Under 35 U.S.C. § 102

Claims 1-3, 6, 8 and 10-13 have been rejected under 35 U.S.C. § 102(e) as being unpatentable over US 6,914,139 (Mukunoki).

Applicant respectively traverses this rejection.

Claim 1 has been amended to recite the elements of now canceled Claim 4. Thus, as amended, Claim 4 is directed to an antistatic optical film comprising an optical film and an antistatic layer, where a pressure sensitive adhesive layer is laminated on another side of a surface having the optical film of the antistatic layer. Claim 1 also recites that the antistatic layer comprises a water soluble or a water dispersible conductive polymer. Applicant respectfully submits that Mukunoki does not disclose a water soluble or a water dispersible conductive polymer, and Mukunoki also does not disclose an antistatic optical film where a pressure sensitive adhesive layer is laminated on another side of a surface having the optical film of the antistatic layer.

As with Hara above, the Office Action states that Mukunoki at column 12, lines 46-53 discloses polyaniline and polythiophene that are water soluble or water dispersible "as defined by Applicant's specification (original claim 2)." Office Action at page 5. Mukunoki at column 12, lines 51-53 states, "Examples of the electrically conductive material include polyaniline derivatives, polythiophene derivatives, polypyrrole derivatives and polyacetylene derivatives." Nothing in Mukunoki indicates that the contemplated polyanilines and polythiophenes were water soluble or water miscible. Accordingly, there is no express disclosure of an antistatic layer comprising a water soluble or a water dispersible conductive polymer. Furthermore, similar to the above discussion in regard to Hara, water solubility or water miscibility are not necessary and inherent properties of any and all polyanilines or polythiophenes. Accordingly, Mukunoki cannot anticipate Claim 1 or any claim dependent therefrom because Mukunoki does not expressly or inherently disclose an antistatic layer comprising a water soluble or a water dispersible conductive polymer.

Furthermore, Mukunoki cannot anticipate the claims because Mukunoki does not disclose an antistatic film comprising an optical film and an antistatic layer, where a pressure sensitive adhesive layer is laminated on another side of a surface having the optical film of the antistatic layer, as recited in Claim 1 (previously recited in now canceled Claim 4). This is consistent with the Office Action, which has not rejected Claim 4 as anticipated by Mukunoki. Accordingly, in view of the amendment to the claims, Claim 1 and claims dependent therefrom are not anticipated by Mukunoki.

Rejection of Claims 4, 5 and 7 Under 35 U.S.C. § 103

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Claims 4, 5 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mukunoki in view of US 5,880,800 (Mikura).

Applicant respectively traverses this rejection.

As discussed above, Mukunoki does not teach or suggest an antistatic layer comprising a water soluble or a water dispersive conductive polymer.

Mikura teaches an optical film for a liquid crystal display including a pressure-sensitive adhesive layer such as an acrylic pressure-sensitive adhesive layer on an optical base film for attaching to a liquid crystal cell. However, Mikura does not teach or suggest anything regarding an antistatic layer.

Accordingly, the references, alone or combined, do not teach or suggest all elements of the claims because the references, alone or combined, do not teach or suggest an antistatic layer comprising a water soluble or a water dispersive conductive polymer.

Furthermore, there would have been no motivation to modify the teachings of the references to arrive at the claimed antistatic optical layer. Neither reference teaches or suggests the undesirable deterioration caused by use of an organic solvent in forming the antistatic layer. Furthermore, neither reference teaches or suggests addressing the deterioration problem by applying an aqueous solution or dispersion of conductive polymer. Therefore, the references provide no basis for modifying the teachings in the references in order to form an antistatic layer comprising a water soluble or a water dispersive conductive polymer. Accordingly, the references, alone or combined, provide no motivation to modify the teachings provided therein to arrive at the claimed antistatic optical layer. Therefore, Mukunoki and Mikura, alone or combined, cannot render the claimed antistatic optical layer *prima facie* obvious.

Rejection of Claims 4, 5 and 7 Under 35 U.S.C. § 103

Claims 4, 5 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mukunoki in view of US 5,391,472 (Muys).

Applicant respectively traverses this rejection.

Claim 1 has been amended to recite the elements of now canceled Claim 4.

No combination of Mukunoki or Muys teaches or suggests an antistatic optical film comprising an optical film and an antistatic layer, where a pressure sensitive adhesive layer is

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laminated on another side of a surface having the optical film of the antistatic layer, as previously recited in now canceled Claim 4. This is consistent with the Office Action, which has not rejected Claim 4 as obvious over Mukunoki in view of Muys. Accordingly, in view of the amendment to the claims, Claim 1 and claims dependent therefrom are not obvious over Mukunoki in view of Muys.

Rejection of Claims 4, 5 and 7 Under 35 U.S.C. § 103

Claims 4, 5 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mukunoki in view of US 6,310,133 (Katashima).

Applicant respectively traverses this rejection.

Claim 1 has been amended to recite the elements of now canceled Claim 4.

No combination of Mukunoki or Katashima teaches or suggests an antistatic optical film comprising an optical film and an antistatic layer, where a pressure sensitive adhesive layer is laminated on another side of a surface having the optical film of the antistatic layer, as previously recited in now canceled Claim 4. This is consistent with the Office Action, which has not rejected Claim 4 as obvious over Mukunoki in view of Katashima. Accordingly, in view of the amendment to the claims, Claim 1 and claims dependent therefrom are not obvious over Mukunoki in view of Katashima.

Rejection under Obviousness-Type Double Patenting

Claims 1 and 3 have been rejected under the judicially created doctrine of obviousness-type double patenting in view of Claims 1, 2, 6 and 7 of Hara.

Applicant respectively traverses this rejection.

Claim 1 has been amended to recite the elements of now canceled Claim 4. Claim 1 as amended is not obvious over Claims 1, 2, 6 and 7 of Hara because these claims of Hara do not teach or suggest an antistatic optical film comprising an optical film and an antistatic layer, where a pressure sensitive adhesive layer is laminated on another side of a surface having the optical film of the antistatic layer, as previously recited in now canceled Claim 4.. This is consistent with the Office Action, which has not rejected Claim 4 as obvious over Claims 1, 2, 6 and 7 of Hara. Accordingly, Applicant respectfully requests removal of this ground for rejection of the claims.

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CONCLUSION

In light of the Applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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